

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

FAITH MILLER-SETHI,

Plaintiff,

v.

21-CV-8591 (JPO)

CITY UNIVERSITY OF NEW YORK,  
DANI MCBETH, NANCY SOHLER and  
ERICA FRIEDMAN,

Defendants.

**J. PAUL OETKEN, United States District Judge:**

1. A party's production of documents or information that reflects privileged attorney-client communications, constitutes attorney work product, was prepared in anticipation of litigation, discloses the mental impressions, conclusions, opinions or legal theories of any attorneys for the party, or is otherwise protected from disclosure ("Protected Information"), whether inadvertent or otherwise, shall not constitute or be deemed a waiver or forfeiture—in this or any other federal or state action or proceeding—of any applicable privilege, immunity or other protection from disclosure, or of the producing party's right to assert such privilege, immunity or other protection from disclosure.

2. Upon being notified that a production containing Protected Information has occurred, the receiving party must promptly locate and either return or destroy all copies of the materials at issue. Unless and until those materials are adjudicated by this Court to be nonprivileged, the receiving party is not permitted to use them for any purpose.

3. Nothing contained in this Order is intended to or shall serve to limit a party's right to conduct a review of documents or information for relevance, responsiveness and/or segregation of Protected Information before production.

4. This Order shall be interpreted to provide the maximum protection allowed by Federal Rule of Evidence 502(d).

**SO ORDERED:**

June 12, 2023



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J. PAUL OETKEN  
United States District Judge